

Diane G. Reed, Trustee
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	
	§	CASE NO. 09-32123-HDH-7
JEFFREY W. BALL	§	
HYOUN-MIE BALL	§	
	§	NO HEARING HAS BEEN SET
DEBTORS.	§	FOR THIS MOTION.

APPLICATION TO EMPLOY REAL ESTATE BROKER

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT, AT 1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242, BEFORE CLOSE OF BUSINESS TWENTY (20) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK AND A COPY MUST BE SERVED UPON DIANE G. REED, 604 WATER STREET, WAXAHACHIE, TEXAS 75165, PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT FOR THE NOTICED ACTION MAY BE TAKEN.

Diane G. Reed, Trustee, files this her Application to Employ Real Estate Broker as follows:

1. This case was commenced by the filing of a Voluntary Petition under Chapter 7 on June 16, 2009.

2. The estate owns a lake lot on Richland Chambers Reservoir totaling approximately .75 acres (the "Property") described as Lot No. 109, Arrowhead Subdivision Phase II, Corsicana, Texas.

3. In order to market the Property most effectively and thereby liquidate the Property for the best and highest price, Trustee has solicited the assistance of Michael Evans, a licensed real estate broker, whose address is 9915 South U.S. Hwy. 287, Corsicana, Texas 75109.

Mr. Evans has examined the Property and agreed to advertise the Property at the broker's expense, to show the Property to interested parties, to represent the estate as seller in connection with the sale of the Property, and to advise the Trustee with respect to obtaining the highest and best offers available in the present market for the Property. Mr. Evans proposes to list the property at the price of \$69,000.00.

4. Based upon the foregoing agreement, Trustee desires to hire Michael Evans as real estate broker to procure and submit to the Trustee offers to purchase the Property. In consideration for the services, upon consummation of any sale of the Property, Michael Evans will receive a 6% commission of the gross sale price of the Property.

5. Michael Evans has been informed and understands that no sale may be consummated until after notice and a hearing of necessary.

6. Trustee is satisfied that Michael Evans is a disinterested person within the meaning of 11 U.S.C. §101(14). A true and correct copy of the Affidavit of Michael W. Evans in Support of Trustee's Application to Employ Real Estate Broker is attached as Exhibit A.

7. Michael Evans is aware of the provisions of 11 U.S.C. §328(a) and has agreed, notwithstanding the terms and conditions of employment set forth herein, that the Court may allow compensation different from the compensation provided herein if such terms and conditions prove to have been improvident in light of developments unanticipated at the time of the fixing of such terms and conditions.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that she be authorized to hire Michael Evans as real estate broker on the terms and conditions set forth herein.

Respectfully Submitted,

/s/ Diane G. Reed
Diane G. Reed, Trustee
604 Water Street
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was forwarded via either electronic means or first-class mail on the same date it was filed, to the parties listed on Debtor's mailing matrix and making a formal appearance in this case.

/s/ Diane G. Reed
Diane G. Reed, Trustee